

DEF

FILED  
IN CLERKS OFFICE  
U.S. DISTRICT COURT  
★ JUL 10 2005 ★

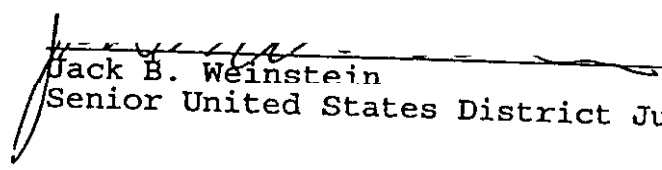
UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
-----X  
UNITED STATES OF AMERICA, :  
- against - :  
:   
:   
:   
RAFAEL LUGO :  
-----X

PM. \_\_\_\_\_  
TIME A.M. \_\_\_\_\_  
  
ORDER OF REFERRAL  
CR05-366 JJB (JBW)

1. The district judge refers any application by a defendant for permission to enter a plea of guilty to a magistrate judge of this court to conduct an allocation pursuant to F.R. Crim. P., Rule 11, and to (a) find if the plea is knowingly and voluntarily made and not coerced, and (b) recommend if the plea of guilty should be accepted, reporting to the undersigned as soon as practicable. With the oral consent of the parties on the record, the probation investigation of the defendant may commence as soon as the allocation is completed by the magistrate judge.
2. The district judge refers any application by a defendant (or each defendant if there is more than one) to a magistrate judge of this court for selection of a jury of twelve with six alternates.

SO ORDERED,

Brooklyn, New York  
7/8/05

  
\_\_\_\_\_  
Jack B. Weinstein  
Senior United States District Judge

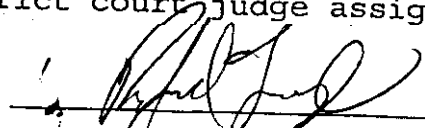
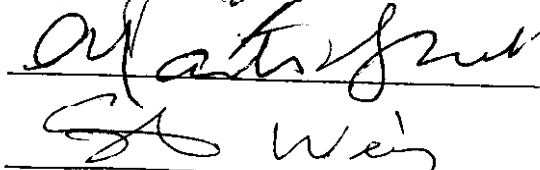
[Strike paragraph 1 or 2 if it is not applicable. If there is more than one defendant, each defendant and his or her counsel must sign the waiver of the right to have a district judge select the jury or the waiver is invalid.]

voluntarily consented to after full consultation by defendant with counsel. Defendant will suffer no prejudice by not consenting. If there is no consent, the district court judge assigned rather than the magistrate judge will act.

Defendant:

Attorney for  
Defendant:

U.S. Attorney  
by A.U.S.A.:

  
\_\_\_\_\_  
  
\_\_\_\_\_  
Steven Weiser

USMT  
7/18/05